

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA,)	
)	
PLAINTIFF,)	
)	
Vs.)	CASE NO: 06-CR-118
)	
IRENE HERNANDEZ-HERNANDEZ,)	
)	
DEFENDANT.)	

MOTION TO CONTINUE

COMES NOW Ellis D. Bingham, III, counsel for the Defendant, and respectfully files this Motion to Continue:

1. Defendant is scheduled for sentencing before this Honorable Court on September 8, 2006.
2. Counsel will be on Active Duty military orders with the 87th Division (Training Support), 1400 Golden Acorn Drive, Birmingham, Alabama, 35244-1295 on September 8, 2006.
3. Due to Counsel's military obligation, Honorable Tommie Brown Hardwick, Counsel for the Government, is unopposed to a continuance.
4. If the Court's calendar permits, Counsel for the Defendant and Counsel for the Government are available for sentencing on September 14, 2006 or September 15, 2006.

WHEREFORE, PREMISES CONSIDERED, Counsel for Defendant prays for a continuance to September 14, 2006, September 15, 2006, or such other date that may be more convenient to this Honorable Court.

Respectfully submitted,

/s/ **Ellis D. Bingham, III**

ELLIS D. BINGHAM, III
Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that I have delivered a copy of the foregoing **Notice of Appearance** upon the **United States Attorney's Office, Hon. Tommie Hardwick, One Church Street, Montgomery, Alabama, 36101**, via electronic filing on this the 11th day of August, 2006.

/s/ Ellis D. Bingham, III

OF COUNSEL